



Planning Commission

1 **FINAL MINUTES OF THE REGULAR PLANNING COMMISSION MEETING**

2 **October 3, 2018**

3 The meeting was called to order at 7:02 p.m.

4 **Location:** North Berkeley Senior Center, Berkeley, CA

5 **1. ROLL CALL:**

6 **Commissioners Present:** Steve Martinot, Robb William Kapla, Christine Schildt, Jeff
7 Vincent, Benjamin Fong, Prakash Pinto, Rob Wrenn, Mary Kay Lacey (arrived 7:06).

8 **Commissioners Absent:** Benjamin Beach (excused)

9 **Staff Present:** Secretary Alene Pearson, Sydney Stephenson, Eleanor Hollander (OED
10 staff).

11 **2. ORDER OF AGENDA:** No changes.

12 **3. PUBLIC COMMENT PERIOD:** No speakers.

13 **4. PLANNING STAFF REPORT:** Next Planning Commission meeting will be on November
14 7th. In Item 10, staff will recommend that the Commission create subcommittee to work on
15 the 2018-2019 Commission Work Plan on October 17.

16 **Communication in the Packet:** None.

17 **Late Communications (Received after the Packet deadline):**

- 18 • 2018-10-03 – Laurie Rich, David Brower Center, Item 9
- 19 • 2018-10-03 – John Caner, Supporting Small Businesses, Item 9
- 20 • 2018-10-03 – Jordan Klein, OED Staff, Anti-displacement and supports for women and
21 minority-owned businesses, Item 9
- 22 • 2018-10-03 – Staff, City Council Annotated Agenda 10-18-2016
- 23 • 2018-10-03 – Beth Greene, Staff, Cannabis Commission Fact Sheet, Item 11
- 24 • 2018-10-03 – Staff, Council Referral on Auto Sales, Item 12
- 25 • 2018-10-03 – Linda C. Klein, Cox Castle Nicholson, Auto Sales in C-SA, Item 12
- 26 • 2018-10-03 – Betsy Thurgard, Auto Sales in C-SA, Item 12
- 27 • 2018-10-03 – Friends of Adeline, Adeline Corridor, non-agenda item
- 28 • 2018-10-03 – Timothy Burroughs, Director of Planning Department, Response to Friends
29 of Adeline, non-agenda item

30 **Late Communications (Received and distributed at the meeting):** None.

31 **5. CHAIR REPORT:** None.

32 **6. COMMITTEE REPORT:** No subcommittee met since the last Planning Commission
33 meeting.

34 **7. APPROVAL OF MINUTES:**

35 Motion/Second/Carried (Vincent/Fong) to approve the Planning Commission Meeting Minutes
36 from September 5, 2018 with amendment to motion from Item 9. Ayes: Martinot, Schildt, Fong,
37 Kapla, Vincent, Lacey, Pinto and Wrenn. Noes: None. Abstain: None. Absent: Beach. (8-0-0-
38 1)

39
40 **8. FUTURE AGENDA ITEMS AND OTHER PLANNING-RELATED EVENTS:** At the next
41 meeting, on November 7th, the following items will be on the agenda: 1) presentation and
42 introduction of the update to the Local Hazard Mitigation Plan, 2) Public Hearing on the
43 amendments to the Home Occupation chapter, 3) Planning Commission will discuss the
44 2018-2019 Work Plan that the subcommittee developed on October 17th.

45 **AGENDA ITEMS**

46 **9. Action:** **Public Hearing: Zoning Ordinance Amendments Supporting**
47 **Small Businesses**

48 Staff presented a brief background of the responsibilities and goals of the Office of Economic
49 Development, and then reviewed the following six zoning ordinance amendment
50 recommendations.

- 51 1. Remove requirement to provide incremental change in parking spaces associated with a
52 change of use in the Commercial Districts;
- 53 2. Condense existing food service categories (Carry-out, Quick-service, and Full-service)
54 into a single category (Food Service Establishments);
- 55 3. Standardize change of use square footage thresholds in Commercial Districts;
- 56 4. Reduce the level of discretion from a UPPH to an AUP when establishing a “use deemed
57 compatible” in a Commercial District;
- 58 5. Apply the permitting thresholds for Commercial Recreation Centers in the C-DMU to all
59 Commercial Districts; and
- 60 6. Allow the incidental service of beer and wine at food service establishments with a
61 Zoning Certificate and conformance to performance standards.

62 The Planning Commission asked clarifying questions throughout the staff presentation and
63 then opened the public hearing. The Commission discussed the 6 zoning ordinance
64 amendments to support small businesses. They focused on the recommendations #2 and #5
65 that needed a decision on square footage thresholds or levels of discretion. The Commission
66 discussed adding a larger radius for noticing of restaurant uses, and made the following
67 motions:

68 Motion/Second/Carried (Schildt/Wrenn) to close the public hearing for Item 9. Ayes: Martinot,
69 Schildt, Fong, Kapla, Vincent, Lacey, Pinto and Wrenn. Noes: None. Abstain: None. Absent:
70 Beach. (8-0-0-1)

71
72 Motion/Second/Carried (Schildt/Kapla) to recommend to Council to approve all six of staff's
73 recommendations, with the following amendments: 1) change Recommendation #2 to require
74 an AUP for Food Service Establishments in the C-DMU that are greater than 3,000 sq. ft.; 2)
75 amend Recommendation #5 to require an AUP for all Commercial Recreation Centers in
76 Neighborhood Commercial districts; and 3) require a 300 ft. radius of noticing for AUPs for
77 Food Service Establishments in Neighborhood Commercial districts. The Planning
78 Commission also directs the Office of Economic Development to continue outreach with
79 neighborhood (resident) groups through resources in the City Manager's Office. Ayes:
80 Martinot, Schildt, Fong, Kapla, Vincent, Lacey, Pinto and Wrenn. Noes: None. Abstain: None.
81 Absent: Beach. (8-0-0-1)

82
83 Public Comments: 3 speakers.

84 Motion/Second/Carried (Martinot/Kapla) to change of the order of meeting and move Item 12
85 as the next item for discussion. Ayes: Martinot, Schildt, Fong, Kapla, Vincent, Lacey, Pinto
86 and Wrenn. Noes: None. Abstain: None. Absent: Beach. (8-0-0-1)

87
88 **12. Discussion: Council Referral: Auto Sales in C-SA District**

89 Planning Commission listened to public comment and briefly discussed the referral.
90 Commissioner Martinot expressed concern about the effects on the automobile businesses
91 on the neighborhood and that fact that there is huge community backing for this referral.
92 Commissioner Wrenn presented what the South Berkeley plans states about auto-related
93 uses. The Planning Commission discussed how to approach referrals that are not ranked but
94 have support from the public. The subcommittee work plan group will consider this question
95 in the context of their work plan discussion.

96 Public Comments: 9 speakers.

97 **10. Discussion: Planning Commission 2018-2019 Work Plan**

98 Staff recommended that the Planning Commission create a Subcommittee to work on the
99 Work Plan on October 17th with help from staff. The Planning Commission made the
100 following motion:

101 Motion/Second/Carried (Martinot/Kapla) to create a Subcommittee to develop the 2018-2019
102 Planning Commission Work Plan and work with staff at an October 17 meeting. The Planning
103 Commission elected Commissioners Vincent, Lacey, Pinto, Schildt to make up the
104 Subcommittee. Commissioner Vincent will be the Chair. Ayes: Martinot, Schildt, Fong, Kapla,
105 Vincent, Lacey, Pinto and Wrenn. Noes: None. Abstain: None. Absent: Beach. (8-0-0-1)

106
107 Public Comments: None.

108 **11. Action: Cannabis October Council Work Session**

109 The Planning Commission elected Rob Wrenn to attend the Cannabis October 9th Work
110 Session.

111 Public Comments: None.

112 **The meeting was adjourned at 10:08 pm**

113 **Commissioners in attendance: 8 of 9**

114 **Members in the public in attendance: 21**

115 **Public Speakers: 12 speakers**

116 **Length of the meeting: 3 hours and 6 minute**